

## General Objections

BNSF generally objects to the scope of the Request for Information (RFI) in that it calls for any and all records and documents within ½ miles of the Superfund Site. Although EPA made certain maps available, no legal description of the Site has been provided. Such a broad scope is overly onerous and potentially calls for a hand search of voluminous files in various locations. In addition, information about non-adjacent property is not relevant to the Site. BNSF has conducted a search of certain indexes and databases with respect to property adjacent to the Site. BNSF further objects to providing documents which may be privileged.

### 1. Respondent Information

- a. BNSF Railway Company, 2650 Lou Menk Dr., Fort Worth, TX 76131
- b.
  - i. John Sims, Paralegal
  - ii. Bruce Sheppard, Manager Environmental Remediation
  - iii. Steve Kuzma, Manager – Land Revenue Management
  - iv. Brian Hipol, Division Engineer
  - v. Kimberly Kessel, Supervisor Price Management
  - vi. David Rankin, Senior General Attorney
  - vii. Susan Odom, Manager Network Strategy
  - viii. These employees can be reached c/o Pamela Nehring, Senior General Attorney, BNSF Railway, 2500 Lou Menk Dr., AOB-3, Fort Worth, TX 76131, Phone: 817-352-3469, Fax: 817-352-2398.
- c. Bruce Sheppard, BNSF Railway, 2454 Occidental Avenue S. #1-A, Seattle, WA 98134, Phone: 206-625-6035, Fax: 206-625-6007
- d. BNSF repeats its general objection and refers to the documents provided herein.
- e. BNSF repeats its general objection and refers to the documents provided herein. Formal proceedings to discontinue rail service were filed in 2009.
- f. BNSF provided rail service as a common carrier on the rail lines adjacent to this Site.
- g. BNSF provided rail service as a common carrier on the rail lines adjacent to this Site. This question appears to be directed to the Site operator; however, BNSF has found no documents that it “used or created” materials at the Site.
- h. BNSF objects to the scope of this RFI in that it does not identify any specific companies. Notwithstanding this objection, neither BNSF nor its parent has not filed for bankruptcy.

### 2. Site Activities and Interests

- a. BNSF repeats its general objections but has provided responsive documents in its Response, dated August 6, 2009, and supplements with the enclosed documents. BNSF has conveyed its interest in the Woodinville rail line, including the line adjacent to the Site, to the Port of Seattle. There may be additional business and attorney correspondence relating to the overall transaction, but these are likely irrelevant to the historic uses of the adjacent Site and have not been included.
- b. BNSF has found no documents regarding the condition of the property at the time it was purchased. The rest of the question appears to be directed to the Site owners and in any event, predates the relevant time period.
- c. BNSF did not own or operate the Site and has found no responsive process diagrams or flow charts of industrial activities or other documents.



- d. It's unclear what "property" EPA is referring to here. BNSF is a common carrier obliged to provide service by rail. There may be responsive information in the documents enclosed herein.
- e. BNSF neither owned or operated the Site and has not found responsive documents pertaining to transformers or other electrical equipments used there.
- f. BNSF did not own or operate the facility. However, there may be information in the enclosed documents.
- g. This request is vague as to what property the request pertains to. BNSF has provided property and other documents which may contain information about the right of way.
- h. This request is vague as to what property the request pertains to. Be that as it may, there may be information in the enclosed documents and those provided previously, including the System Emergency Response Plan.
- i. Information responsive may be found in the documents provided.
- j. Information responsive may be found in the documents provided.
- k. Notwithstanding its general objections, BNSF has already provided responsive documents in its letter, dated August 6, 2009, and supplements with documents enclosed herein.

3. Information about Others

- a. Notwithstanding its general objection, BNSF has provided responsive documents in its letter, dated August 6, 2009.
- b. Except as referenced in the documents provided, BNSF has not found information about tenants or lessees of the Superfund Site.
- c. Further information may be available from the owners or operators of the Superfund Site.
- d. Except as provided, BNSF has not found any responsive documents.

4. Compliance with this Request. Describe all sources reviewed or consulted in responding to this request, including, but not limited to:

- a. See response to Request No. 1.
- b. Responsive documents are located in Seattle and Fort Worth.